



Practitioner's Docket No. 5713-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Remi Swierczek

Application No.: 09/680,172
Filed: October 5, 2000
For: MUSIC IDENTIFICATION SYSTEM

Group No.: 3625
Examiner: Gart, Matthew S.

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PATENT

#15/RCE, EDT
PATENT (2)
S. Ellis
1-16-04

RECEIVED

JAN 07 2004

GROUP 3600

REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 C.F.R. § 1.114)

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

TIME REQUEST IS BEING MADE

2. This request is being submitted:
- i. Prior to abandonment of the application
 - ii. Prior to a decision on appeal to the Board of Patent Appeals & Interferences

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

■ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

■ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

□ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

□ facsimile transmitted to the Patent and Trademark Office, (703) _____

Signature

Robert J. Clark

Date: December 29, 2003

Robert J. Clark

(type or print name of person certifying)

* Only the date of filing (1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under 1.8 continues to be taken into account in determining timeliness. See 1.703(f). Consider "Express Mail Post Office to Addressee" (1.10) or facsimile transmission (1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

09680172 00000002 150450 01/06/2004 CNGUYEN

385.00 DA
210.00 DA
01 FC:2801
02 FC:2252

ENCLOSURES

3. Enclosed herewith are:

An amendment
New arguments

FEE FOR REQUEST (37 C.F.R. § 1.17(e)).

4. This application is on behalf of small entity (and status is still as small entity).

Continued Prosecution Request Fee: 385.00

FEE FOR CLAIMS

5. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)	(Col. 2)	(Col. 3)	SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	2	– 20	= 0	x \$ 9.00	= \$		0.00
INDEP.	2	– 5	= 0	x \$ 43.00	= \$		0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 145.00	= \$		0.00
				TOTAL ADDIT. FEE	\$		0.00

No additional fee for claims is required.

EXTENSION OF TIME

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for two months:

Fee: \$210.00

TOTAL FEE(S) DUE

7. The total fee(s) due is/are:

Continued Prosecution Fee (Section 1.17(e))	\$385.00
Fee(s) for additional claims (Section 1.16(b)-(d))	\$0.00
Extension of time fee (Section 1.17(a)(1)-(4))	\$210.00
Total Fee(s) Due:	\$595.00

PAYMENT OF FEE(S) DUE

8. Please pay the fee(s) for this continued examination application as follows:

Charge Account 15-0450 the sum of \$595.00.

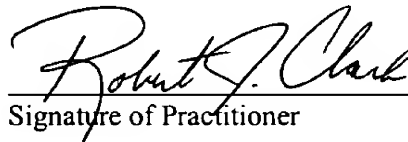
Please charge any required additional fee(s) for § 1.17(e), § 1.16(b)-(d) and/or § 1.17(a)(1)-(4) to Account 15-0450.

INVENTORSHIP

9. This application as amended names as inventors the same inventors as previously designated for the claims.

Date: December 29, 2003

Reg. No.: 45,835
Tel. No.: 330-864-5550
Customer No.: 021324



Signature of Practitioner

Robert J. Clark
Hahn Loeser & Parks, LLP
Twin Oaks Estate
1225 West Market Street
Akron, OH 44313-7188